

Court of Appeals, State of Michigan

ORDER

People of MI v Kenny Allen Meador II

Docket No. 292776

LC No. 08-030703-FH

Alton T. Davis
Presiding Judge

Peter D. O'Connell

William C. Whitbeck
Judges

The Court orders that the motion to remand is DENIED for failure to persuade the Court of the necessity of a remand at this time. Particularly, it does not appear that the development of an additional factual record is required for consideration of the relevant issues by the case call panel. However, we note that by raising his challenge to the scoring of offense variable 19 in the motion to remand, defendant has preserved that issue for purposes of MCL 769.34(10) and MCR 6.429(C). But we express no opinion as to whether *People v McGraw*, 484 Mich 120; 771 NW2d 655 (2009), is retroactively applicable to the sentencing in this case because that question should be addressed by the case call panel in deciding the merits of this appeal.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG - 4 2010

Date

Sandra Schultz Mengel
Chief Clerk